

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MATTHEW HOPKINS,

Plaintiff,

v.

WASHINGTON STATE SPECIAL  
COMMITMENT CENTER CHIEF  
MEDICAL DIRECTOR, DR. LESLIE  
SZIEBERT; WASHINGTON STATE  
SPECIAL COMMITMENT CENTER  
GALINA DIXON, ARNP,

Defendant.

CASE NO. 3:15-CV-05554-BHS-DWC

REPORT AND RECOMMENDATION  
ON PLAINTIFF'S MOTION TO  
DISMISS DEFENDANT GALINA  
DIXON

The District Court referred this action, filed pursuant to 42 U.S.C. § 1983, to United States Magistrate Judge David W. Christel. Before the Court is a motion filed by Plaintiff Matthew Hopkins, requesting the Court dismiss Defendant Dixon without prejudice. Dkt. 39. Defendants Dixon and Sziebert have filed responses indicating they have no objection to Plaintiff's motion. Dkt. 40, 41.

Plaintiff filed this action against Defendants Leslie Sziebert and Galina Dixon, as well as fifty unnamed "Doe" Defendants, on April 10, 2015. Dkt. 1, 6. Since that time, the Court has

1 granted Defendant Dixon's motion to dismiss, but given Plaintiff leave to amend his complaint  
2 to state a claim against Defendant Dixon. Dkt. 30, 37. Instead of filing an amended complaint,  
3 Plaintiff filed a motion to dismiss Defendant Dixon from the case without prejudice. Dkt. 39.

4 In light of this Court's order granting Defendant Dixon's motion to dismiss and  
5 Plaintiff's motion to dismiss Defendant Dixon, the Court recommends Plaintiff's request to  
6 dismiss Defendant Dixon be granted without prejudice.

7 Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), the parties shall have  
8 fourteen (14) days from service of this Report to file written objections. *See also* Fed. R. Civ. P.  
9 6. Failure to file objections will result in a waiver of those objections for purposes of *de novo*  
10 review by the district judge. *See* 28 U.S.C. § 636(b)(1)(C). Accommodating the time limit  
11 imposed by Fed. R. Civ. P. 72(b), the clerk is directed to set the matter for consideration on July  
12 29, 2016, as noted in the caption.

13 Dated this 8th day of July, 2016.

14 

15 David W. Christel  
16 United States Magistrate Judge